

THURSDAY, JUNE 4, 1998 (52)

The House was called to order by the SPEAKER.

¶52.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 3, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

¶52.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

9441. A letter from the Administrator, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule—Amendment to the Production Flexibility Contract Regulations (RIN: 0560-AF25) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9442. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Nevada; Nevada Division of Environmental Protection; Washoe County District Health Department [FRL-6014-5] received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9443. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Florida [F1-071-9810a; FRL-6015-4] received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9444. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Turkey (Transmittal No. DTC-54-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9445. A letter from the Acting Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Fishery Management Plan (FMP) for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Recreational Measures for the 1998 Summer Flounder, Scup, and Black Sea Bass Fisheries [Docket No. 09-302051-8119-02; I.D. 021198B] (RIN: 0648-AK78) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9446. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—New Mexico Regulatory Program [NM-038-FOR] received June 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9447. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Kansas Abandoned Mine Land Reclamation Plan [SPATS No. KS-015-FOR] received June 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9448. A letter from the National Director of Appeals, Internal Revenue Service, transmitting the Service's final rule—Federal Income Tax Withholding on Compensation Paid to Nonresident Alien Crew by a Foreign Transportation Entity—received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9449. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Certain Cash or Deferred Arrangements [Rev. Rul. 98-30] received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9450. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Permitted Elimination of Preretirement Optional Forms of Benefit [TD 8769] (RIN: 1545-AV26) received June 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶52.3 PROVIDING FOR THE CONSIDERATION OF H.J. RES. 78

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 453):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 78) proposing an amendment to the Constitution of the United States restoring religious freedom. The joint resolution shall be considered as read for amendment. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the joint resolution shall be considered as adopted. The previous question shall be considered as ordered on the joint resolution, as amended, and on any further amendment thereto to final passage without intervening motion except: (1) two hours of debate on the joint resolution, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; (2) the further amendment printed in the report of the Committee on Rules accompanying this resolution, which may be offered only by the Member designated in the report, shall be considered as read, and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent; and (3) one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the yeas had it.

Mrs. MYRICK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 248
Nays 169

¶52.4 [Roll No. 196]
YEAS—248

Aderholt	Berry	Buyer
Archer	Billbray	Callahan
Armey	Bilirakis	Calvert
Bachus	Bishop	Camp
Baessler	Bliley	Campbell
Baker	Blunt	Canady
Ballenger	Boehlert	Cannon
Barcia	Boehner	Castle
Barr	Bonilla	Chabot
Barrett (NE)	Bono	Chambliss
Bartlett	Brady (TX)	Chenoweth
Barton	Bryant	Christensen
Bass	Bunning	Clement
Bateman	Burr	Clyburn
Bereuter	Burton	Coble

Coburn	Inglis	Rahall
Collins	Istook	Ramstad
Combest	Jenkins	Redmond
Condit	John	Regula
Cook	Johnson (CT)	Riggs
Cooksey	Johnson, Sam	Riley
Cox	Jones	Roemer
Cramer	Kasich	Rogan
Crane	Kelly	Rogers
Crapo	Kim	Rohrabacher
Cubin	King (NY)	Ros-Lehtinen
Cunningham	Kingston	Roukema
Danner	Klug	Royce
Davis (VA)	Knollenberg	Ryun
Deal	Kolbe	Salmon
DeLay	LaHood	Sandlin
Diaz-Balart	Largent	Sanford
Dickey	Latham	Saxton
Doollittle	LaTourette	Scarborough
Dreier	Lazio	Schaefer, Dan
Duncan	Leach	Schaffer, Bob
Dunn	Lewis (CA)	Sensenbrenner
Ehlers	Lewis (KY)	Sessions
Ehrlich	Linder	Shadegg
Emerson	Livingston	Shaw
Everett	LoBiondo	Shays
Ewing	Lucas	Shimkus
Foley	Manzullo	Shuster
Forbes	McCollum	Skeen
Fossella	McCrery	Skelton
Fowler	McDade	Smith (MI)
Fox	McHugh	Smith (NJ)
Franks (NJ)	McInnis	Smith (OR)
Frelinghuysen	McIntosh	Smith (TX)
Galleghy	McIntyre	Smith, Linda
Ganske	McKeon	Snowbarger
Gekas	Metcalfe	Solomon
Gibbons	Mica	Souder
Gilchrest	Miller (FL)	Spence
Gillmor	Moran (KS)	Stearns
Gilman	Morella	Stenholm
Goode	Murtha	Stump
Goodlatte	Myrick	Sununu
Goodling	Nethercutt	Tanner
Goss	Neumann	Tauzin
Graham	Ney	Taylor (MS)
Granger	Northup	Taylor (NC)
Greenwood	Norwood	Thomas
Gutknecht	Nussle	Thornberry
Hall (OH)	Ortiz	Thune
Hall (TX)	Oxley	Tiahrt
Hamilton	Packard	Traficant
Hansen	Pappas	Turner
Hastert	Parker	Upton
Hastings (WA)	Paul	Walsh
Hayworth	Paxon	Wamp
Hefley	Pease	Watkins
Hill	Peterson (MN)	Watts (OK)
Hilleary	Peterson (PA)	Weldon (FL)
Hobson	Petri	Weldon (PA)
Hoekstra	Pickering	Weller
Horn	Pitts	White
Hostettler	Pombo	Whitfield
Houghton	Porter	Wicker
Hulshof	Portman	Wolf
Hunter	Pryce (OH)	Young (AK)
Hutchinson	Quinn	Young (FL)
Hyde	Radanovich	

NAYS—169

Abercrombie	DeGette	Hefner
Ackerman	Delahunt	Hilliard
Allen	DeLauro	Hinchey
Andrews	Deutsch	Hinojosa
Baldacci	Dicks	Holden
Barrett (WI)	Dingell	Hooley
Becerra	Dixon	Hoyer
Bentsen	Doggett	Jackson (IL)
Berman	Dooley	Jackson-Lee
Blagojevich	Doyle	(TX)
Blumenauer	Edwards	Jefferson
Bonior	Engel	Johnson (WI)
Borski	English	Johnson, E.B.
Boswell	Eshoo	Kanjorski
Boucher	Etheridge	Kaptur
Boyd	Evans	Kennedy (MA)
Brady (PA)	Farr	Kennedy (RI)
Brown (CA)	Fattah	Kennelly
Brown (OH)	Fazio	Kildee
Capps	Filner	Kilpatrick
Cardin	Ford	Kind (WI)
Carson	Frank (MA)	Klecza
Clayton	Frost	Klink
Conyers	Gejdenson	Kucinich
Costello	Gephardt	LaFalce
Coyne	Gordon	Lampson
Cummings	Green	Lantos
Davis (FL)	Gutierrez	Lee
Davis (IL)	Harman	Levin
DeFazio	Hastings (FL)	Lewis (GA)

Lipinski	Nadler	Serrano
Lofgren	Neal	Sherman
Lowey	Oberstar	Sisisky
Luther	Obey	Slaughter
Maloney (CT)	Olver	Smith, Adam
Maloney (NY)	Owens	Snyder
Manton	Pallone	Stabenow
Markey	Pascrell	Stark
Martinez	Pastor	Strickland
Mascara	Pelosi	Stupak
Matsui	Pickett	Tauscher
McCarthy (MO)	Pomeroy	Thompson
McCarthy (NY)	Poshard	Tierney
McDermott	Price (NC)	Torres
McHale	Rangel	Towns
McKinney	Reyes	Velazquez
McNulty	Rivers	Vento
Meek (FL)	Rodriguez	Visclosky
Meeks (NY)	Rothman	Waters
Menendez	Roybal-Allard	Watt (NC)
Millender-	Rush	Waxman
McDonald	Sabo	Wexler
Miller (CA)	Sanchez	Weygand
Minge	Sanders	Wise
Mink	Sawyer	Woolsey
Moakley	Schumer	Wynn
Moran (VA)	Scott	Yates

NOT VOTING—16

Brown (FL)	Herger	Spratt
Clay	McGovern	Stokes
Ensign	Meehan	Talent
Fawell	Mollohan	Thurman
Furse	Payne	
Gonzalez	Skaggs	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

§52.5 H.R. 3433—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the unfinished business to be the question on passage of the bill (H.R. 3433) to amend the Social Security Act to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to return to work and to extend Medicare coverage for such beneficiaries, and to amend the Internal Revenue Code of 1986 to provide a tax credit for impairment-related work expenses.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	410
	Nays	1
	Answered present	2

§52.6 [Roll No. 197]
YEAS—410

Abercrombie	Bereuter	Brown (FL)
Ackerman	Berman	Brown (OH)
Aderholt	Berry	Bryant
Allen	Bilbray	Bunning
Andrews	Bilirakis	Burr
Archer	Bishop	Burton
Armey	Blagojevich	Buyer
Bachus	Bliley	Callahan
Baessler	Blumenauer	Calvert
Baker	Blunt	Camp
Baldacci	Boehler	Campbell
Ballenger	Boehner	Canady
Barcia	Bonilla	Cannon
Barr	Bonior	Capps
Barrett (NE)	Bono	Cardin
Barrett (WI)	Borski	Carson
Bartlett	Boswell	Castle
Barton	Boucher	Chabot
Bass	Boyd	Chambliss
Bateman	Brady (PA)	Chenoweth
Becerra	Brady (TX)	Christensen
Bentsen	Brown (CA)	Clayton

Clement	Hobson	Neal
Clyburn	Hoekstra	Nethercutt
Coble	Holden	Neumann
Combest	Hooley	Ney
Condit	Horn	Northrup
Conyers	Hostettler	Norwood
Cook	Hoyer	Nussle
Cooksey	Hulshof	Oberstar
Costello	Hunter	Obey
Cox	Hutchinson	Olver
Coyne	Hyde	Ortiz
Cramer	Inglis	Oxley
Crane	Istook	Packard
Crapo	Jackson (IL)	Pallone
Cubin	Jackson-Lee	Pappas
Cummings	(TX)	Parker
Cunningham	Jefferson	Pascrell
Danner	Jenkins	Pastor
Davis (FL)	Johnson (CT)	Paul
Davis (IL)	Johnson (WI)	Paxon
Davis (VA)	Johnson, E. B.	Pease
Deal	Johnson, Sam	Pelosi
DeFazio	Jones	Peterson (MN)
Delahunt	Kanjorski	Peterson (PA)
DeLauro	Kaptur	Petri
DeLay	Kasich	Pickering
Deutsch	Kelly	Pickett
Diaz-Balart	Kennedy (MA)	Pitts
Dickey	Kennedy (RI)	Pombo
Dicks	Kennelly	Pomeroy
Dingell	Kildee	Porter
Dixon	Kilpatrick	Portman
Doggett	Kim	Poshard
Dooley	Kind (WI)	Price (NC)
Doolittle	King (NY)	Pryce (OH)
Doyle	Kingston	Quinn
Dreier	Klecza	Radanovich
Duncan	Klink	Rahall
Dunn	Klug	Ramstad
Edwards	Knollenberg	Rangel
Ehlers	Kolbe	Redmond
Ehrlich	Kucinich	Regula
Emerson	LaFalce	Reyes
Engel	LaHood	Riggs
English	Lampson	Riley
Ensign	Lantos	Rivers
Eshoo	Latham	Rodriguez
Etheridge	LaTourette	Roemer
Evans	Lazio	Rogan
Everett	Leach	Rogers
Ewing	Lee	Rohrabacher
Farr	Levin	Ros-Lehtinen
Fattah	Lewis (CA)	Rothman
Fazio	Lewis (GA)	Roukema
Filner	Lewis (KY)	Roybal-Allard
Foley	Linder	Royce
Forbes	Lipinski	Rush
Ford	Livingston	Ryun
Fossella	LoBiondo	Sabo
Fowler	Lofgren	Salmon
Fox	Lowey	Sanchez
Franks (NJ)	Lucas	Sanders
Frelinghuysen	Luther	Sandlin
Frost	Maloney (CT)	Sanford
Gallegly	Maloney (NY)	Sawyer
Ganske	Manton	Saxton
Gejdenson	Manzullo	Scarborough
Gephardt	Markley	Schaefer, Dan
Gibbons	Martinez	Schaffer, Bob
Gilchrest	Mascara	Schumer
Gillmor	Matsui	Scott
Gitman	McCarthy (MO)	Sensenbrenner
Goode	McCarthy (NY)	Serrano
Goodlatte	McCollum	Sessions
Goodling	McCrery	Shadegg
Gordon	McDermott	Shaw
Goss	McHale	Shays
Graham	McHugh	Sherman
Granger	McInnis	Shinkus
Green	McIntosh	Shuster
Greenwood	McIntyre	Sisisky
Gutierrez	McKeon	Skeen
Gutknecht	McKinney	Slaughter
Hall (OH)	McNulty	Smith (MI)
Hall (TX)	Meek (FL)	Smith (NJ)
Hamilton	Menendez	Smith (TX)
Hansen	Metcalf	Smith, Adam
Harman	Mica	Smith, Linda
Hastert	Millender-	Snowbarger
Hastings (FL)	McDonald	Snyder
Hastings (WA)	Miller (CA)	Solomon
Hayworth	Miller (FL)	Souder
Hefley	Minge	Spence
Hefner	Moakley	Spratt
Herger	Moran (KS)	Stabenow
Hill	Moran (VA)	Stark
Hilleary	Morella	Stearns
Hilliard	Murtha	Stenholm
Hinchey	Myrick	Stokes
Hinojosa	Nadler	Strickland

Stump	Torres	Weldon (PA)
Stupak	Towns	Weller
Sununu	Traficant	Wexler
Talent	Turner	Weygand
Tanner	Upton	White
Tauscher	Velazquez	Whitfield
Tauzin	Vento	Wicker
Taylor (MS)	Visclosky	Wise
Taylor (NC)	Walsh	Wolf
Thomas	Wamp	Woolsey
Thompson	Waters	Wynn
Thornberry	Watkins	Yates
Thune	Watt (NC)	Young (AK)
Thurman	Watts (OK)	Young (FL)
Tiahrt	Waxman	
Tierney	Weldon (FL)	

NAYS—1

Frank (MA)

ANSWERED "PRESENT"—2

Mink Owens

NOT VOTING—20

Clay	Gonzalez	Meeks (NY)
Coburn	Houghton	Mollohan
Collins	John	Payne
DeGette	Largent	Skaggs
Farwell	McDade	Skelton
Furse	McGovern	Smith (OR)
Gekas	Meehan	

So the bill was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Social Security Act to establish a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide beneficiaries with disabilities meaningful opportunities to work, to extend Medicare coverage for such beneficiaries, and to make additional miscellaneous amendments relating to social security."

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§52.7 RESTORING RELIGIOUS FREEDOM
CONSTITUTIONAL AMENDMENT

Mr. CANADY, pursuant to House Resolution 453, called up the joint resolution (H.J. Res. 78) proposing an Amendment to the Constitution of the United States Restoring Religious Freedom.

The following amendment in the nature of a substitute recommended by the Committee on the Judiciary, was considered as adopted:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

"ARTICLE—

"SECTION 1. To secure the people's right to acknowledge God according to the dictates of conscience: The people's right to pray and to recognize their religious beliefs, heritage, or traditions on public property, including schools, shall not be infringed. The Government shall not require any person to join in prayer or other religious activity, initiate or designate school prayers, discriminate against religion, or deny equal access to a benefit on account of religion."

Pending further consideration of the joint resolution,